

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

TYRONE MOORE,	:	CIVIL ACTION NO. 1:05-CV-0828
	:	
Petitioner	:	(Judge Conner)
	:	
v.	:	
	:	
JEFFREY BEARD, Commissioner, Pennsylvania Department of Corrections; DAVID DIGUGLIELMO, Superintendent of the State Correctional Institution at Graterford,	:	
	:	
	:	
Respondents	:	

ORDER

AND NOW, this 21st day of November, 2006, upon consideration of the petition for writ of habeas corpus (Doc. 1), response and accompanying record (Doc. 10), and traverse (Doc. 19), and it appearing that there are a number of deficiencies which prevent the court from disposing of the matter, it is hereby ORDERED the parties will cure the deficiencies as follows:

1. Petitioner makes numerous references to the Notes of Testimony (“N.T.”) throughout the petition, but fails to include the Notes of Testimony in the record. Petitioner shall, within fifteen days of the date of this order, expand the record to include the Notes of Testimony and any other documentation relied upon in support of the petition. See R. GOVERNING § 2254 CASES R. 7.
2. Respondents have failed to comply with an Order of Court (Doc. 7) requiring adherence to R. GOVERNING § 2254 CASES Rule 5(d), which directs that briefs and opinions on appeal, and in post conviction proceedings, be filed with the response. Respondents shall, within fifteen days of the date of this order, comply with the Order (Doc. 7, ¶ 3) and complete the record to include any and all briefs and opinions on direct appeal and during the post conviction proceedings. See R. GOVERNING § 2254 CASES R. 5(d).

3. In their response (Doc. 10), respondents have simply relied on the state court proceedings and have failed to brief all of the issues in accordance with Section 2254(d) of Title 28 of the United States Code.¹ Respondents are afforded twenty days from the date of this order to file a brief which conducts a 28 U.S.C. § 2254(d) analysis on each issue raised by petitioner. Petitioner may file a reply brief within ten days of the filing of respondents' brief.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge

¹Section 2254(d) requires, on a claim previously adjudicated on the merits in state court, an analysis of (1) whether the state court decision was contrary to, or involved an unreasonable application of, clearly established Federal law, as determined by the Supreme Court of the United States, or (2) whether the state court decision was based on an unreasonable determination of the facts in light of the evidence presented in the State court proceeding, 28 U.S.C. § 2254(d)